

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	1790.01
COMPLAINT INVESTIGATOR:	Steve Starbuck
DATE OF COMPLAINT:	August 13, 2001
DATE OF REPORT:	September 7, 2001
REQUEST FOR RECONSIDERATION:	no
DATE OF CLOSURE:	October 15, 2001

COMPLAINT ISSUES:

Whether the Marion Community Schools and the Grant County Special Education Cooperative violated:

511 IAC 7-25-4(b) with regard to the school=s alleged failure to conduct an educational evaluation and convene a case conference committee (CCC) meeting within sixty instructional days of the date of written parental consent.

FINDINGS OF FACT:

1. The student is seven years old, attends the second grade, and has been determined eligible for special education due to a learning disability.
2. The parent provided written consent to the school on February 1, 2001, to initiate an educational evaluation for the student. The educational evaluation was completed on April 23, 2001. In order for the school to comply with the 60 instructional day time frame, the educational evaluation and the CCC meeting needed to be completed no later than May 4, 2001. The CCC meeting was not convened until May 21, 2001. The director acknowledges that the CCC meeting to discuss the results of the educational evaluation was not conducted timely.

CONCLUSIONS:

1. Finding of Fact #2 reflects that the school failed to conduct an educational evaluation and convene a CCC meeting within 60 instructional days from the date the school received the parent's written consent for the evaluation. Therefore, a violation of 511 IAC 7-25-4(b) is found.

The Department of Education, Division of Special Education, requires the following corrective action based on the Findings of Fact and Conclusions listed above.

CORRECTIVE ACTION:

The Marion Community Schools and Grant County Special Education Cooperative shall:

1. Send a memorandum to all appropriate school personnel reminding them of the requirements specified in 511 IAC 7-25-4(b). Submit a copy of the memorandum to the Division no later than October 10,

2001, with a listing of all personnel (name and title) to whom the memorandum was sent.

1. Convene a CCC meeting to determine the need for compensatory educational services. The CCC Report shall reflect that the CCC members thoroughly addressed the issue of compensatory services. Submit to the Division no later than October 10, 2001, a copy of the CCC Report and any revised IEP.